



**US Army Corps  
of Engineers**  
Louisville District ®

# Public Notice

Public Notice No  
LRL-1961-14-C-jmb

Open Date:  
28 Aug 2015

Close Date:  
28 Sep 2015

Please address all comments and inquiries to:  
U.S. Army Corps of Engineers, Louisville District  
ATTN: Mr. Jarrod Bonnick, CELRL-OPF-W  
6855 State Road 66  
Newburgh, Indiana 47630  
[lr.regulatorypubliccomment@usace.army.mil](mailto:lr.regulatorypubliccomment@usace.army.mil)

Phone: 812-842-0469

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 10 of the Rivers and Harbors Act of 1899.

APPLICANT: Lafarge Cave-In-Rock Quarry  
R1 Box 267  
Cave-In-Rock, Illinois 62919

LOCATION: The proposed project is located on the Right  
Descending Bank of the Ohio River at mile 879.0 in  
Hardin County, Illinois.

Latitude: 37.47293° North  
Longitude: -88.12548° West  
7.5 Minute Quad: Cave-In-Rock, KY - IL

PURPOSE: To obtain authorization, after the fact, for  
construction and operation of a truck to barge  
loading terminal, and to perform maintenance  
dredging of the two loading terminals on the Ohio  
River at the Cave-In-Rock Quarry.

DESCRIPTION OF WORK: The Cave-In-Rock Quarry has an existing loading  
terminal on the Ohio River that has been in operation since the early  
1960's. The existing DA permit, LRL-1961-14, authorized the  
construction and operation of this terminal, a conveyor to barge loading  
terminal, associated with the Cave-In-Rock Quarry. The proposed project  
would modify the existing DA authorization by incorporating a currently  
unpermitted truck to barge loading terminal into Lafarge's approved  
river-based loading facility. Additionally, the applicant proposes to  
perform maintenance dredging, for a period of 10 years, of the two  
separate loading terminals, the conveyor to barge loading terminal and  
the truck to barge loading terminal, in order to maintain adequate draft  
depths for their barges, and to recover spilled quarry material.

The truck to barge loading terminal was previously constructed and  
operated by a former tenant of the Cave-In-Rock Quarry and has been in  
operation for at least 20+ years. The terminal is used to allow haul  
trucks with oversized rip-rap rock (primarily) and crushed limestone to  
be loaded on to barges and shipped on the river for use in construction  
projects. Although some of the structures would be permanent, the

terminal operations are seasonal and demand-driven in nature. When in operation, the terminal consists of a ramp, bridge, and a barge loading platform (i.e. a work barge), and is designed to move up and down as the river level rises and falls, via a system of hinges and support trusses. The ramp and bridge are each 60'x 30' steel structures leading to a moored 50'x 250' work barge. The bridge, which is hinged together to the ramp, is cantilevered approximately 10' over the work barge to allow the haul trucks to back up on it and unload the quarry material into awaiting barges. Two barges would be present in the loading terminal, and they would be arranged in a 1 long x 2 wide configuration. The maximum riverward extension of the loading terminal, including the two barges arranged side by side, would be approximately 178' at the normal pool elevation of 324.0' Ohio River Datum.

Maintenance dredging is proposed to be performed annually for the conveyor to barge loading terminal, and biannually (twice a year) for the truck to barge loading terminal. Both proposed dredging areas are approximately 300' x 100', and approximately 3,500 cubic yards of material would be removed from each of these areas during the dredging events. The dredging would be conducted by a crane with a clamshell bucket, or trackhoe with a long reach boom, situated on a work barge that would be positioned in the river with a low power tug boat. The dredged material would be transferred directly to the bed of haul trucks with careful attention given to eliminate the possibility of any water or dredged material returning to the river. The material that is dredged would be transported to one of two disposal areas located at the east and west sides of the property above the Ordinary High Water Mark (OHWM). The upland disposal areas have been previously permitted and used under DA permits LRL-1995-1735 and LRL-2006-578-A. LRL-2006-578-A, which expires on May 14, 2017 and authorizes annual maintenance dredging of the conveyor to barge loading terminal, would be superceded by this permit, if issued.

In addition to modifying the permit to incorporate the truck to barge loading terminal and authorizing maintenance dredging, this notice also serves to clarify what has been authorized under the existing DA permit with regard to the fleeting arrangements at and around the facility (see plans, pages 6-10 of 12).

**REVIEW PROCEDURES:** A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied.

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. Mussel surveys of the proposed project area were conducted in October 2008 and September 2011 by Marine Solutions, Inc. The surveyed area included the proposed project area footprint as well as areas immediately upstream and downstream of the proposed project. Results from the 2011 survey were documented in a report entitled, *Ohio River*

*Freshwater Mussel Survey for The Lafarge North America Cave-In-Rock Quarry, River Mile 879, Hardin County, Illinois, and it included pertinent information from the previous mussel survey in 2008. The 2011 mussel survey documented that a total of 231 live mussels from 13 unionoid species were present. Dead shells were collected from an additional two species. Of the total number encountered, 19 individuals were identified as the federally endangered Fat Pocketbook mussel (*Potamilus capax*). Coupled with the results from the previous survey in 2008, 43 fat pocketbook mussels were encountered within the surveyed area. According to a Biological Assessment prepared by Mainstream Commercial Divers, Inc., dated May 2015, the threatened, endangered, proposed, or candidate species that have the potential to occur within this section of the Ohio River include the endangered Fat Pocketbook mussel, the endangered Orangefoot Pimpleback mussel (*Plethobasus cooperianus*), the endangered Pink Mucket mussel (*Lampsilis abrupta*), the threatened Rabbitsfoot mussel (*Quadrula cylindrica cylindrica*), the endangered Ring Pink mussel (*Obovaria retusa*), the endangered Sheepnose mussel (*Plethobasus cyphus*), and the endangered Spectaclecase mussel (*Cumberlandia monodonta*). Based on results of mussel surveys, it has been determined that the proposed project may affect, and is likely to adversely affect, the Fat Pocketbook mussel. Formal consultation has been requested with the U.S. Fish and Wildlife Service.*

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the specific interest which might be damaged by issuance of the DA Permit.

The National Register of Historic Places has been examined, and it has been determined that there are no properties currently listed on the Register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, pre-historical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public.

Operations Division  
Regulatory Branch (West)  
Public Notice No. LRL-1961-14-C-jmb

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. Drawings are available on Louisville District's Internet site at <http://www.lrl.usace.army.mil/Missions/Regulatory.aspx>. All comments regarding this proposal should be addressed to Mr. Jarrod Bonnick, CELRL-OPF-W, at the address noted above and should refer to the Public Notice Number LRL-1961-14-C-jmb.

If you desire to submit your comments by email, you must comply with the following:

a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-1961-14-C-jmb.

Example:

Subject: LRL-1961-14-C-jmb

b) Provide your physical mailing address and telephone number.

c) Send your email to: [lrl.regulatorypubliccomment@usace.army.mil](mailto:lrl.regulatorypubliccomment@usace.army.mil).

d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.





























